GOVERNMENT OF MADRAS. Sectt. II-28.—69,006—31-10-50.

M

P.W (1952) Department.

Passed

~~Endorsement~~
~~D.O.~~
~~Memorandum~~
~~Lodged~~

DO No. 11984 I/52-1

Dated 1-2-3- 1952.

8/4/52.

FURTHER PAPERS.

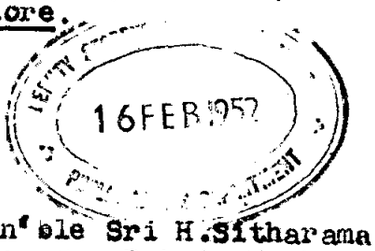
Department.	Number.	Series.	Date.

MANGALORE,

D/13-2-1952.

From

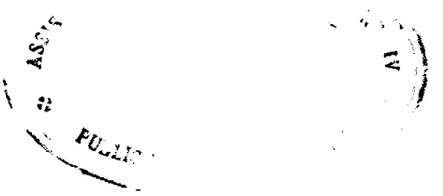
Dr. U.P.Mallya M.L.A.,
Mangalore.



Sec/ P.W.D. Pursuing 15/2/52

To

11984 The Hon'ble Sri H.Sitharama Reddi,
Minister for Public Works,
Government of Madras,
Fort St.George, Madras



My Dear Sri Reddi,

1 I have noted with pleasure that you have been clubbed with more responsibilities and though it has come as a consequence over which you have no control, I am confident that you are competent to undertake all the additional burden that is imposed on you. I am particularly happy that such an important portfolio as the Public Works has fallen on you and in this respect, our district which has got some of its important programmes yet to be executed will, I hope, get an impetus and see the end through soon.

2 I am referring to our Jog Electric Supply Scheme. Has the Agreement been signed by the Mysore Government? If not, shall I request you to see that any hurdle that may be still left to be crossed is cleared? This you may know is a very important scheme for our district which cannot boast of any other major schemes. It is the life line for our progress here. I want you- another Kannadiga, to see it through.

3 Another important scheme we are interested in and which now comes under your Public Works Department is the question of our Harbour. As to the question of it being a Major Harbour here, it will have to wait for some time. But then the question of developing Mangalore as an All-Weather Port is a responsibility for the Madras Government and this improvement here has been specially recommended by the Government of India. In this connection, some experiments are now being conducted at the Central Water and Power Research Station, Poona.

4 Besides this, we have also been agitating for a Port Trust for Mangalore. Your predecessor in office, Sri Bhaktavatsalam, when he was here in November last, has definitely promised that there cannot be any difficulty to pass an Act in the next session of the Assembly, for the formation of the Port Trust. I do not think, it is a policy measure either. As such shall I look upon you to sponsor a Bill in the March Session itself, which will enable us to get a Port Trust very soon. This is highly desirable for the growth of our Port and hence this request.

5 To achieve these and other improvements here the local Chamber of Commerce and we, the Representatives have been strongly feeling that the services of Mr. L.T.Yettie, the Port Officer, who has been interesting himself very much with the development of this Port, will be absolutely necessary here. Mr. Yettie was transferred from Mangalore in December last and was posted to Kakinada as Additional Port Officer. When I represented this matter to Mr.Bhaktavatsalam, early in December, he had informed me that

it was just a temporary measure to carry out certain urgent dredging work at Kakinada and that he will have him retransferred to Mangalore, at the earliest opportunity.

6 I think an opportunity has come now when the State Port Officer, Mr. Balmforth is retiring which will necessitate consequential transfers. Shall I just request you to re-transfer Mr. Yettie here? I wish and hope that the fact that he was transferred from here recently will never stand in the way for, as an officer, he was very helpful to us here. Still we require his help as his experience of the Port problems will be very useful when experiments are being conducted to decide the future of this Port- a decision that will be very vital for us.

7 The Kanara Chamber of Commerce, Mangalore- a body highly respected for its useful service in this district and consisting of all representative interests has addressed to you also about the need of Mr. Yettie's services here. I hope, therefore, that it may not be difficult for you to meet just this small request of that august Body.

With my regards to you,

Yours sincerely,

U.P.Mallya

(U.P.Mallya)

Copy, with compliments to Sri A.B.Shetty, Minister for Finance, Education and Agriculture for information and kind action.

PW(II)

Letter No 11984 I/52. d , 2-52.

To,

Dr Sri P. Mallya M.L.A.,
Mangalore.

Sir,

Subject - Extension of Mysore ~~Jog~~ power to South Kanara dt

My dear Sri Mallayya. Ref. your letter d 13.2.52 to the Hon Minister for Public Works

pp 1-3 CF

~~With reference to the supply of~~

para 2 on p 1 CF ~~Jog power to the South Kanara dt, I am to state that~~ there is some delay in Mysore over a settlement of the terms and conditions of such supply. W.S. Kanara. I am addressing the Hon Minister again in the matter. ~~Every effort is being made by this Govt to settle the matter and expedite the completion of the agreement.~~

Bh 22/2/52.

para 3 p 1 CF 2/ ~~To enquire~~ Govt will be informed ~~re establishment~~ formation of a Port Trust at Mangalore ~~is~~ under the active consideration of the Govt and it will be finalised by the ~~Madras Govt~~ Govt ~~on~~ succeeding Govt Ministry.

Ka 25.2.52

3. A further communication will be sent to you separately regarding the reposting of Sri L I Yettis.

Y. T.

Copy to M. Section with a copy of C.

TPM 1.3.52

3. I am afraid it will may not be feasible to change Mr Yettis to Mangalore now. I am however trying with the matter.

TB

clean copy.

D.O. No. 11984 I/52.1 dt 12-3-52. P.W.(I I)

My dear Sri Mallayya,

Ref:- Your letter dated 13-2-52.

para 2 complete

There is some delay in Mysore over a settlement of the terms and conditions of Jog power supply to South Kanara. I am addressing the Mysore Ministers again in the matter.

para 3 complete

2. A draft bill for the formation of a Port Trust at Mangalore is under the active consideration of the Government and it will be put through by the succeeding Ministry.

para 1 & 3 cf

3. I am afraid it may not be possible to transfer Mr. Yettie to Mangalore now. I am however looking into the matter.

Y. S.

T.M.S.M.
4-3-52.

To
Dr.U.P. Mallayya,M.L.A.,
Mangalore.

~~Copy to 'M' section with a copy of c.f.~~

P.W.D.(I.1).

Electricity -Extension of Mysore Jog power to S.Kanara Dt.

Ref: From Dr.U.P.Mallya, M.L.A., dated 13-2-52.

...

"Secy. P.W.
Put up a reply.".
H.S.R.
15-2-52.

Please see the letter from Dr. U.P.Mallya, M.L.A. on pp.1-3 c.f. and the minutes of H.M.(L.R.) thereon extracted above.

2. The question of supply of power by Mysore for distribution in S.Kanara was first taken up with the Mysore Govt. in August 1947. In Nov.1949, they informed this Govt. that they were agreeable to supply electric power to the extent of 6000 K.W. at the border of the State from the Jog Falls Generating Station. Based on this assurance, this Govt. sanctioned in September 1950, an estimate amounting to Rs.48.32 lakhs initially rising to Rs.62.05 lakhs in the 10th year for the distribution of power in S.Kanara. A revised estimate amounting to 70.3 lakhs initially rising to 88.0 lakhs in 10 years, has since been sanctioned for the scheme.

3. Though the terms and conditions of supply of power by Mysore to Madras for distribution in South Kanara were settled long ago, a formal agreement has not yet been concluded. The only point of difference holding up the completion of the agreement is in regard to the wording of clauses 10(a) and 14 of the draft agreement sent by the Mysore Govt. which are reproduced below for ready reference:-

"10(a). Should the Supplier decide at a future date to levy a general surcharge or tax on high tension bulk supplies of electricity given by him in the Mysore territory, such general surcharge or tax shall be applicable to the tariffs specified in clause 10 at the same rate and for the same duration."

"14. The Supplier and the Consumer agree that no tax other than referred to in clause 10(a) supra

shall be levied by either of them on the other in respect of the supply under this agreement. If any such tax is levied, the party so taxed shall be reimbursed by the other party.".

The clause in the Madras draft agreement corresponding to clause 10(a) of the Mysore draft is given below:-

"11. Should the Supplier decide at a future date to levy a general surcharge on high tension bulk supplies of electricity given by him in the Mysore territory, such general surcharge shall be applicable to the tariffs specified in clause 10 at the same rate and for the same duration.

"Explanation: In this clause, the expression "surcharge" means any charge or percentage increase whether called a surcharge or tax, which may be levied by the Supplier over and above the rates charged by the Supplier in respect of high tension bulk supplies given by the Supplier in the Mysore territory."

The point of difference between the Madras and Mysore drafts relates only to the use of the word "tax". This Govt. first suggested that the words "or tax" might be omitted from the Mysore draft clause 10(a) and consequential amendments made in their clause 14. The Govt. of Mysore did not agree to this. They contended that they were levying a tax on consumption of electricity on their consumers in Mysore and that it was identical in nature with what the Madras Govt. are levying as a surcharge on consumers in the Madras State supplied by the Madras Govt. But, as clause 10(a) of their draft, in view of the language employed therein, is wider in scope and there is nothing to suggest, that in the future, nothing different from what is called in Madras as a 'surcharge' and in Mysore as a 'tax' on consumption of electricity, will be levied by Mysore, and as the agreement, being one between two neighbouring States, might be handled by

main file not traced up (CI 105005/14)

entirely different sets of people in the future, this Govt. suggested certain amendments to the clause and an addition of the explanation as indicated at 'X' on p. 2 ante to obviate unnecessary differences of opinion that may crop up in future. The position as indicated above was explained personally and in detail by the ~~P.W.~~ Secretary, ~~Madras~~ to the Hon'ble Minister for Law and Labour, the C.E., for Elecy. and the Secy. to the Elecy. Dept. of the Mysore Govt. at the conference on the Mekadatu scheme held on the 30th and 31st August last 1951 at Bangalore. The Govt. of Mysore then agreed to the drafting of the clause as proposed by the Madras Govt. to avoid any ambiguity which might lead to squabbles in the future. It was also agreed that a letter should be sent by the Madras Govt. requesting the Mysore Govt. to reconsider the position and agree to the draft sent by Madras. ~~Attention is invited to Secy.'s note at p. 147 ante~~. The Govt. of Mysore were addressed accordingly on the 1st Sep. 1951 to reconsider the position and agree to the amendment and the explanation proposed by this Govt. But, contrary to the assurance given at the conference, they ~~have~~ sent a reply stating that the amendments suggested by this Govt. ~~are~~ were not necessary and that the surcharge clauses of theirs - 'B' on pp. 1-2 ante should remain as they ~~are~~ were.

4. The matter was further discussed by the previous H.M.(P.W.) with the Hon'ble Sri K.T.Bhashyam on the 4th December 1951 when the latter visited Madras. It was agreed that the Madras Govt.'s draft providing an explanation to the clauses relating to the levy of surcharge in the agreement for the supply of power to S.Kanara would be accepted. It was also agreed that as soon as he reached Bangalore, the Hon'ble Sri Bhashyam would arrange to convey the formal acceptance of the Mysore Govt. to the agreement. Instead of conveying the

acceptance ~~of~~ to the Mysore Govt. ~~'s~~ draft, the Mysore Minister wanted a copy of the agreement for power supply to S.Kanara incorporating the clarifications reached at the conference on the 4th December. As desired by him, a copy of the agreement embodying the clarifications was sent. ~~-vide Secy.'s observation on p.162 ante~~. No reply ~~has~~ yet been received from the Mysore Minister in spite of a D.O.reminder dated 6-2-52. It may be mentioned that the Govt. have already approved the proposal of the C.E.(E) to place orders for the transmission lines and sub-station equipments in anticipation of the completion of the agreement.

Perhaps a DO as from present JS(H) to Sri Sastry and one to Sri K-C. Reddy at least quickly 6/3/52

5 Having regard to the position stated, the M.I.A. may perhaps be informed that there is some delay in Mysore over the terms and conditions of supply to S.Kanara and that every effort is being made by this Govt. to settle the matter ~~expeditiously. A draft~~ and ~~expedite the completion of the agreement.~~

BK
22/2/52.

Through JS(H) 23/2/52
M.

4
Para 3 PICF re. Formation of a Port Trust at Mangalore

A memorandum has been prepared on the subject. The Govt. of India have been addressed for prior concurrence since the proposed legislation falls within the concurrent field. Their reply is awaited.

Meanwhile, at the instance of Legal, orders have been taken in circulation to be expedited as the matter is not urgent the case may be left to the new Ministry to deal with.

The M.I.A. may, therefore, be informed that the question is under the active consideration of the Govt.

KG
25/2 Shri 25.2.52

9864/52

35

Paras 5 to 7 on pp. 1-3 c.f.

Consequent on the grant of leave to Mr.J.M. Balmforth, S.P.O. and the appointment of Mr.A.Mudie, Port Officer, Tuticorin to officiate as S.P.O., it is proposed to transfer Sri.Advani, P.O. Nagapattinam to Tuticorin and to place Mr.L.H. Cornish in charge of Nagapattinam Port with headquarters at Cuddalore. Under the present arrangements, Sri.Yettie will have to continue as Addl.Port Officer, Kakinada until further orders. It is proposed to send a suitable reply to the Kanara Chamber of Commerce to its representation urging for the retransfer of Mr. Yettie to Mangalore.

file in circulation to Hons. & Secy

Read Today

29.2.52

29.2.52

SECRETARY TO GOVERNMENT
12 MAR 1952
PUBLIC WORKS DEPARTMENT

Please see notes from P/Asst. The draft letter is submitted below for approval.

1.3.52

A/S II / A/S V / D.S. / S

3.3.52

What HM wants is a reply which he can send. I have amended the draft. Type clean and submit to HM as a draft. HM may discuss this with his P.A

4/3/52

HM (A.R) 12/3

(9) cir 11/3

12.3.52